

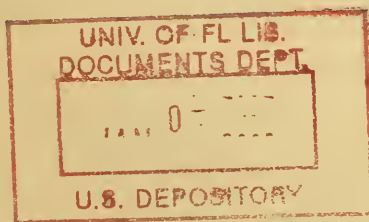
NATIONAL RECOVERY ADMINISTRATION

AMENDMENT TO
CODE OF FAIR COMPETITION

FOR THE

RUBBER MANUFACTURING
INDUSTRY

AS APPROVED ON SEPTEMBER 1, 1934



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Approved Code No. 156—Amendment No. 2

AMENDMENT TO CODE OF FAIR COMPETITION

FOR THE

RUBBER MANUFACTURING INDUSTRY

As Approved on September 1, 1934

ORDER

APPROVING AMENDMENT TO CODE OF FAIR COMPETITION FOR THE RUBBER MANUFACTURING INDUSTRY

An application having been duly made pursuant to and in full compliance with the provisions of Title I of the National Industrial Recovery Act, approved June 16, 1933, for the approval of an amendment to a Code of Fair Competition for the Rubber Manufacturing Industry, and hearings having been duly held thereon and the annexed report on said amendment, containing findings with respect thereto, having been made and directed to the President:

NOW, THEREFORE, on behalf of the President of the United States, I, Hugh S. Johnson, Administrator for Industrial Recovery, pursuant to the authority vested in me by Executive Orders of the President, including Executive Order No. 6543-A, dated December 30, 1933, and otherwise; do hereby incorporate, by reference, said annexed report and do find that said amendment and the Code as constituted after being amended comply in all respects with the pertinent provisions and will promote the policy and purposes of said Title of said Act, and do hereby order that said amendment be and is hereby approved, and that the previous approval of said Code is hereby modified to include an approval of said Code in its entirety as amended.

HUGH S. JOHNSON,
Administrator for Industrial Recovery.

Approval recommended:

C. E. ADAMS,
Division Administrator.

WASHINGTON, D.C.,
September 1, 1934.

REPORT TO THE PRESIDENT

The PRESIDENT,
The White House.

SIR: The Public Hearing on an amendment to Chapter VI of the Code of Fair Competition for the Rubber Manufacturing Industry, as proposed by the Heel and Sole Divisional Authority for the Heel and Sole Division of this Industry, was conducted on Friday, July 6, 1934, in Room D, Washington Hotel, Washington, D.C. Every person who requested an appearance was properly heard in accordance with the regulations of the National Recovery Administration. There were present duly authorized representatives of the Divisional Code Authority.

The Deputy Administrator in his final report to me on said amendment to Chapter VI of said Code, having found as herein set forth and on the basis of all the proceedings in this amendment:

I find that:

(a) The amendment to said Code and the Code as amended are well designed to promote the policies and purposes of Title I of the National Industrial Recovery Act including the removal of obstructions to the free flow of interstate and foreign commerce which tend to diminish the amount thereof, and will provide for the general welfare by promoting the organization of industry for the purpose of cooperative action among trade groups, by inducing and maintaining united action of labor and management under adequate governmental sanction and supervision, by eliminating unfair competitive practices, by promoting the fullest possible utilization of the present productive capacity of industries, by avoiding undue restriction of production (except as may be temporarily required), by increasing the consumption of industrial and agricultural products through increasing purchasing power, by reducing and relieving unemployment, by improving standards of labor and by otherwise rehabilitating industry.

(b) The Code as amended complies in all respects with the pertinent provisions of said Title of said Act, including without limitation subsection (a) of Section 3, subsection (a) of Section 7 and subsection (b) of Section 10 thereof.

(c) The Code empowers the Divisional Authority to present the aforesaid amendment on behalf of the Division as a whole.

(d) The amendment and the Code as amended are not designed to and will not permit monopolies or monopolistic practices.

(e) The amendment and the Code as amended are not designed to and will not eliminate or oppress small enterprises and will not operate to discriminate against them.

(f) Those engaged in other steps of the economic process have not been deprived of the right to be heard prior to approval of said amendment.

For these reasons, this amendment has been approved.

Respectfully,

HUGH S. JOHNSON,
Administrator.

SEPTEMBER 1, 1934.

AMENDMENT TO CODE OF FAIR COMPETITION FOR THE RUBBER MANUFACTURING INDUSTRY

HEEL AND SOLE DIVISION

Article IV—A, Chapter VI is amended to read as follows:

ARTICLE IV—A. TRADE PRACTICES

Section 5 to be changed to Section 7.

New Section 5 to read as follows:

SECTION 5. No member of the Division shall sell, or offer for sale, any products of the Division which have been, or should be, properly classified as "Seconds" except to employees for their own personal use and not for resale purposes. No such member shall sell "Firsts" as "Seconds" under any circumstances.

Definition: For the purpose of this section "Seconds" shall be defined as all products of the Division which have become defective in the course of manufacture.

New section 6 to read as follows:

SECTION 6. No member of the Division shall sell, or dispose of, any products of the Division of obsolete or discontinued design at special prices, without first

(a) Notifying the Divisional Authority two (2) weeks in advance of the quantity or number of products of this Division to be so disposed of, with the reasons therefor:

(b) Stating discount below the regular established prices at which they are to be sold.

(c) Obtaining the approval of the Divisional Authority for such disposal. The Divisional Authority shall act within ten (10) days after receipt of the notification from such member. If the Divisional Authority fails to notify such member of its decision within said ten (10) days, the necessity for such approval of the requested authorization shall be considered waived. If the Divisional Authority denies approval within said ten (10) days, such member may appeal to the Administrator. The Divisional Authority shall advise all members of the Division simultaneously of such authorizations.

Definition: For the purpose of this section "Obsolete Goods" shall be defined as those products of the Division which have actually been discontinued from production.

Approved Code No. 156—Amendment No. 2.
Registry No. 899-04.



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